

**CITY OF FRESNO
DISABILITY ADVISORY COMMISSION**

DEPARTMENT OF PUBLIC WORKS

DISABILITY ADVISORY COMMISSION MEETING
City Hall, Second Floor – Meeting Room A
MINUTES OF THE JANUARY 12, 2009 MEETING

DAC Members Present: Chair, Robert Hand, Vice Chair, Darby Greer, Mary Beth Randall, Ron Sheppard, Danielle Thompson

Staff Present: Carlos Duarte (*ex officio* DAC member), Elizabeth Kunz, Sylvia Shelton, Kathryn Phelan

Call to Order and Self Introductions were made.

Approval of Minutes

A motion to approve the December 8, 2008 Meeting Minutes was made by Mary Beth Randall, seconded by Carlos Duarte and unanimously approved.

Discussion of Goals and Objectives of the DAC

Darby Greer presented goals related to education developed by Ron Sheppard and herself.

1. To examine the causes of transience/homelessness and its impact on the attendance and graduation rates of students with disabilities.
2. Examine other issues that lead to lower graduation rates for students with disabilities when compared to their peers and strategize to improve their educational opportunities.
3. Bolster the efforts of other agencies that focus on successful transition of students with disabilities to post secondary education and employment.

4. Support the efforts of Fresno Unified to hire and maintain the employment of qualified professionals needed to provide therapeutic services so students with disabilities can meet their educational goals. This extends also to the efforts of CSUF to matriculate graduate students in these professions.

Darby requested that they be allowed to revise these goals after consulting with school administrators.

Ron Sheppard presented the goals developed by Darby Greer, Carlos Duarte, and himself.

1. Developing a marketing campaign, encouraging people with disabilities to take advantage of and utilize the services of the community of Fresno. We need to begin to send a message that Fresno is an accessible community.
2. Work with the Chamber of Commerce in developing an accessibility program and standards for retail establishments. Do this in partnership with the Chamber so that consumers with disabilities can identify stores or retail businesses which go above and beyond the minimum standards established by ADA.
3. Reinforce efforts of existing subcommittees to enhance accessibility of public transportation and community right-of-way.

Mary Beth Randall reported that her primary goal for transportation would be to continue education with bus drivers as well as the public on using transportation.

Danielle Thompson's goals focus on recreation for disabilities. She plans to set up a time to meet with someone with the City to discuss recreation needs for the disability community.

Carlos Duarte's goal is to provide information about the infrastructure of the City of Fresno and how it relates to people with disabilities.

1. Request Public Works to provide to the Commission a summary of progress to date on the installation of curb ramps using the information from the Hanson Data Management System.

2. A workshop on our curb ramp standards, including a discussion of the factors involved paired perpendicular ramps and diagonals.
3. A discussion of our proposed APS Policy for review and comment. APS is Accessible Pedestrian Signals.

These goals will be put together and sent out along with any new ideas.

The Chair opened the floor to public comment.

Steve Frasier addressed the DAC. He agreed with the goal Carlos Duarte presented in regard to the APS and what is being done with Public Works. He would like that to be a double effort. He also mentioned that when you come up to a curb cut-out in Fresno, he would like to see the mesh marks to where a blind person can feel their way down the ramps.

Bertha Hanson addressed the DAC. She identified herself as being with the Transportation for Disability for the State and the County. She said that in the Bay Area, they have someone who rides along with the bus drivers on the buses to help disabled people if they need it. She would like to see that happen in Fresno.

Annette Carter addressed the DAC. She clarified that the subcommittees identified (transportation and accessibility), the curb ramps, the sidewalks, and APS, are all accessibility and should be under that subcommittee, transportation should be transportation, and they are all extremely important goals.

Cynthia Ortegon addressed the DAC. She identified herself as being the Chair for the ADA Council for the City of Madera. She suggested guest speakers be part of the goals and training for this year.

Marilyn Jost addressed the DAC. She identified herself as the Deputy Chair for the ADA Advisory Council. She explained that the Council has done extensive work with the curb cuts and ramps. She indicated that she was not sure if the City has finalized a particular drawing for a curb ramp. For APS, there is certain criteria that the Traffic Department has set up. The City has done a lot of work in this

area. There are supposed to be 600 curb ramps, as stated in a lawsuit from a wheelchair user. Ms. Jost said she is interested in seeing what the Commission comes up with in the way of education. She is concerned about the lack of training in Braille and use of a white cane for blind students. The goal for education is long overdue.

Presentation on the Requirements of the Ralph M. Brown Act

Bob Hand reminded that the Brown Act applies not only to the Commission, but also to the ADA Advisory Council and the FAX ADA Advisory Committee.

Kathryn Phelan presented information on the Brown Act (31-page handout) for the second time.

The Chair opened the floor to public comment. None.

Organization of Working Groups for the DAC

Bob said the organization for the working groups could be looked at in two ways. The first way is to look at the areas the DAC itself is going to address. He suggested that the DAC makes the different issues addressed through task forces only. In this way, the DAC will not have distinct standing subcommittees. Rather, the Commission as a whole would address all areas. Then if there is a specific issue where a Commissioner needs to get more information about, the Commission would form a task force at that point. The task force would be time limited, have a specific goal, and it would address that goal. Otherwise, the DAC would have to notice every subcommittee meeting it has and go through all of those steps. This would allow the whole Commission to openly address these issues.

The second way has to do with the two advisory councils. They are long-term and therefore they do fall under the Brown Act. The FAX ADA Advisory Committee and the ADA Advisory Council need a specified membership and they must follow the rules of the Brown Act. The public can still come and participate, but only the smaller group would be restricted by the Brown Act. It was suggested that the committees include the Chair and Vice Chair and an additional three to five people. Mary Beth Randall suggested that they look at

the rosters of the committees to see who attends consistently. They need to provide a copy of their by-laws to the Commission for review and edit or acceptance. The City has a template for by-laws for reference, if needed. Both of these committees have been in existence, but now fall under the umbrella of the Commission.

Ron Sheppard would like to see the committee members have ownership and be equal partners in the development of the by-laws for the sub-committees.

Mary Beth Randall agreed with Ron regarding continued partnership with the existing committees. She stated that there is already some membership information stated in the by-laws of the FAX ADA Advisory Committee, and that should be looked at as a Commission. Mary Beth is the Commission's representative to those committees, so she can come up with potential lists of members that the Commission can consider.

Carlos Duarte echoed the comments of Ron and Mary Beth. He would like to see the by-laws beefed up a little bit and presented to the Commission for review.

The Chair opened the floor to public comment.

Mary Ann Klum addressed the DAC. She questioned the intent of membership. She wants to make sure meetings continue to be open to the public.

Bob Hand responded that the meetings have to be open to the public as part of the Brown Act. There has to be a set membership, but anybody else can come in and give all of the input they want.

Mary Ann Klum asked what the purpose of the membership would be then.

Bob said that because those committees are sub-committees of the Commission, then they fit under the Brown Act, and under the Brown Act there must be a membership because you have to know when there is a quorum.

Dorothy Hoefling addressed the DAC. She expressed her concern that in the Commission setting it would be harder to express personal appreciation or complaints.

Bob Hand assured her that the two existing committees will continue to meet where anyone can still come and address issues. The only change will be in their structure.

Steve Frasier addressed the DAC. He explained that a Call Center is set up to handle questions and works directly with the Public Works ADA and FAX regarding issues. He asked if the Brown Act was presented because someone complained or was it just for clarification. He suggested that the by-laws from the committees be brought in and changed as little as necessary. They need to get to other issues, and not be concerned with so much bureaucracy.

Bob Hand responded that no one had complained, but this is a new commission and we are trying to make sure we are structured correctly so that we do not have complaints.

Cynthia Ortegon addressed the DAC. She is glad to hear that the two committees are being kept. She would like to know what the Commission does.

Bob Hand recommended that Cynthia speak to one of the Commission members for further clarification after the meeting. The Commission was formed to give a higher level of input to the City and have more influence. The general structure is that the committees take input in from the public, etc., and then give that to the Commission with their recommendations. Then the Commission moves forward from that point. The committees would be in violation of the Brown Act if the Commission doesn't give them the structure that they legally require.

Bob Hand said that when it comes to by-laws, he would assume the Commission will get the ones that already exist and take a look at those. The City has some kind of generalized template that can be sent to the Commission members as well. Those can be addressed at the next meeting.

Mary Beth Randall recommended that the Commission take a look at rosters of both committees. She recommended that the Chair and Vice Chairs of the committees be members as well as other individuals that regularly attend the meetings.

Bob Hand said that three to five, etc. would be a good number, but 20 people would not work because they would all have to be monitored. Everybody else can come and give their input. Ron Sheppard gave his agreement to these numbers and recommended five to seven members.

Mary Beth Randall commented that the FAX ADA Advisory Council has a provision for the Chair, the Vice Chair, and up to five individuals. She agreed that five to seven would be a good number of members.

Marilyn Jost addressed the DAC. She stated that the ADA Advisory Committee had started to do the same as the FAX ADA Advisory Council, but were advised to hold off until the Commission came into existence, so they do not have completed by-laws.

Bob Hand suggested that the Commission look at this next time. He stated that Mary Beth is the designated representative to the committees. She can also come up with potential lists of members.

Mary Beth Randall said that Ed Eames has been the Chair of the two committees and asked if it would be okay for her to meet with him. She would bring him up-to-date on what was talked about at this meeting regarding what the two committees need to do so he can help formulate anything that needs to be done to be presented to the Commission.

Bob Hand responded that it would be reasonable for Mary Beth Randall to talk to Ed Eames to bring him up-to-date.

Bob Hand opened the floor to public comment. None.

Unscheduled Communication

Bob Hand announced that the Vice Chair, Lillian Fillpot, is going to go to work for C.I.L. Fresno. Does the Commission want the Chair and Vice Chair to come from the same place? We will look at this at the next meeting.

Mary Beth Randall had Valley Blind Center 2009 Calendars available for \$10.00. It has pictures of local puppies being trained for guide dogs.

Danielle Thompson announced that this would be her last meeting as she is moving to Japan the end of March.

Carol Casey said she had a card available for everyone to sign after the meeting for Jan Kafton who is in the hospital.

Adjournment

There being no further business, Mary Beth Randall made the motion to adjourn. Carlos Duarte seconded the motion. The meeting was adjourned at 7:00 p.m.